JS 44 - No. CALIF .(Rev. 4/97)

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON PAGE TWO)

I.(a) PLAINTIFFS

UNITED STATES OF AMERICA

DEFENDANTS

MAHMOOD A. BAPORIA aka M. BAPORIA

MARIN

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF
(EXCEPT IN U.S. PLAINTIFF CASES)

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT
(IN U.S. PLAINTIFF CASES ONLY)
NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE
TRACT OF LAND INVOLVED.

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)
LAW OFFICE OF MICHAEL COSENTINO
P.O. BOX 129, ALAMEDA, CA 94501
510-523-4702

ATTORNEYS (IF KNOWN)

II. BASIS OF JURISDICTION (PLACE AN "✓" IN ONE BOX ONLY)

[☑] 1 U.S. Government Plaintiff

[ ] 2 U.S. Government Defendant

[ ] 3 Federal Question
(U.S. Government Not a Party)

[ ] 4 Diversity
(Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN "✓" IN ONE BOX FOR PLAINTIFF
(For diversity cases only)
AND ONE BOX FOR DEFENDANT)

	PTF	DEF		PTF	DEF
Citizen of This State	[ ]1	[ ]1	Incorporated or Principal Place of Business In This State	[ ]4	[ ]4
Citizen of Another State	[ ]2	[ ]2	Incorporated and Principal Place of Business In Another State	[ ]5	[ ]5
Citizen or Subject of a Foreign Country	[ ]3	[ ]3	Foreign Nation	[ ]6	[ ]6

IV. ORIGIN   (PLACE AN "✓" IN ONE BOX ONLY)

[☑] 1 Original Proceeding

[ ] 2 Removed from State Court

[ ] 3 Remanded from Appellate Court

[ ] 4 Reinstated or Reopened

[ ] 5 Transferred from Another district (specify)

[ ] 6 Multidistrict Litigation

[ ] 7 Appeal to District Judge from Magistrate Judgment

V. NATURE OF SUIT   (PLACE AN "✓" IN ONE BOX ONLY)

CONTRACT	TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
[ ] 110 Insurance	**PERSONAL INJURY**	**PERSONAL INJURY**	[ ] 610 Agriculture	[ ] 422 Appeal 28 USC 158	[ ] 400 State Reapportionment
[ ] 120 Marine	[ ] 310 Airplane	[ ] 362 Personal Injury Med Malpractice	[ ] 620 Other Food & Drug	[ ] 423 Withdrawal 28 USC 157	[ ] 410 Antitrust
[ ] 130 Miller Act	[ ] 315 Airplane Product Liability	[ ] 365 Personal Injury Product Liability	[ ] 625 Drug Related Seizure of Property 21 USC 881		[ ] 430 Banks and Banking
[ ] 140 Negotiable Instrument	[ ] 320 Assault Libel & Slander	[ ] 368 Asbestos Personal Injury Product Liability	[ ] 630 Liquor Laws	**PROPERTY RIGHTS**	[ ] 450 Commerce/ICC Rates/etc.
[ ] 150 Recovery of Overpayment & Enforcement of Judgment	[ ] 330 Federal Employers Liability		[ ] 640 RR & Truck	[ ] 820 Copyrights	[ ] 460 Deportation
[ ] 151 Medicare Act		**PERSONAL PROPERTY**	[ ] 650 Airline Regs	[ ] 830 Patent	[ ] 470 Racketeer Influenced and Corrupt Organizations
[☑] 152 Recovery of Defaulted Student Loans (Excl Veterans)	[ ] 340 Marine	[ ] 370 Other Fraud	[ ] 660 Occupational Safety/Health	[ ] 840 Trademark	[ ] 810 Selective Service
[ ] 153 Recovery of Overpayment of Veteran's Benefits	[ ] 345 Marine Product Liability	[ ] 371 Truth In Lending	[ ] 690 Other		[ ] 850 Securities/Commodities/ Exchange
[ ] 160 Stockholders Suits	[ ] 350 Motor Vehicle	[ ] 380 Other Personal Property Damage	**LABOR**	**SOCIAL SECURITY**	[ ] 875 Customer Challenge 12 USC 3410
[ ] 190 Other Contract	[ ] 355 Motor Vehicle Product Liabilty	[ ] 385 Property Damage Product Liability	[ ] 710 Fair Labor Standards Act	[ ] 861 HIA (1395ff)	[ ] 891 Agricultural Acts
[ ] 195 Contract Product Liability	[ ] 360 Other Personal Injury		[ ] 720 Labor/Mgmt Relations	[ ] 862 Black Lung (923)	[ ] 892 Economic Stabilization Act
			[ ] 730 Labor/Mgmt Reporting & Disclosure Act	[ ] 863 DIWC/DIWW (405(g))	[ ] 893 Environmental Matters
			[ ] 740 Railway Labor Act	[ ] 864 SSID Title XVI	[ ] 894 Energy Allocation Act
			[ ] 790 Other Labor Litigation	[ ] 865 RSI (405(g))	[ ] 895 Freedom of Information Act
REAL PROPERTY	**CIVIL RIGHTS**	**PRISONER PETITIONS**	[ ] 791 Empl.Ret. Inc. Security Act	**FEDERAL TAX SUITS**	
[ ] 210 Land Condemnation	[ ] 441 Voting	[ ] 510 Motion to Vacate Sentence Habeas Corpus:		[ ] 870 Taxes (US Plaintiff or Defendant	[ ] 900 Appeal of Fee Determination Under Equal Access to Justice
[ ] 220 Foreclosure	[ ] 442 Employment	[ ] 530 General		[ ] 871 IRS - Third Party 28 USC 7609	[ ] 950 Constitutionality of State Statutes
[ ] 230 Rent Lease & Ejectment	[ ] 443 Housing	[ ] 535 Death Penalty			[ ] 890 Other Statutory Actions
[ ] 240 Torts to Land	[ ] 444 Welfare	[ ] 540 Mandamus & Other			
[ ] 245 Tort Product Liability	[ ] 440 Other Civil Rights	[ ] 550 Civil Rights			
[ ] 290 All Other Real Property		[ ] 555 Prison Condition			

VI. CAUSE OF ACTION (CITE THE US CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE BRIEF STATEMENT OF CAUSE. DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

VII. REQUESTED IN COMPLAINT:
[ ] CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND $ $6,302.31

[ ] CHECK YES only if demanded in complaint:
JURY DEMAND: [ ] YES   [☑] NO

VIII. RELATED CASE(S) IF ANY   PLEASE REFER TO CIVIL L.R. 3-12 CONCERNING REQUIREMENT TO FILE "NOTICE OF RELATED CASE".

IX. DIVISIONAL ASSIGNMENT (CIVIL L.R. 3-2) (PLACE A "✓" IN ONE BOX ONLY)   [☑] SAN FRANCISCO/OAKLAND   [ ] SAN JOSE

DATE   May 12, 2008   SIGNATURE OF ATTORNEY OF RECORD

1 | MICHAEL COSENTINO, ESQ., State Bar No. 83253
Attorney at Law
2 | P.O. Box 129
Alameda, CA 94501
3 | Telephone: (510) 523-4702

4 | Attorney for Plaintiff
United States of America

E-filing

6

7

8 | IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA   **SLM**

9

10 | UNITED STATES OF AMERICA,   CV 08ase No. **2507**

11 | Plaintiff,

12 | v.   COMPLAINT
                                         (Student Loan\Debt Collection Case)
13 | MAHMOOD A. BAPORIA aka M. BAPORIA,

14 | Defendant(s).
                                        /

15 | Plaintiff, through its attorney, alleges:

16 | 1.   Jurisdiction: The Court has jurisdiction of this action under 28 U.S.C. Section

17 | 1345.

18 | 2.   Defendant resides in the Northern District of California.

19 | 3.   Defendant owes plaintiff $6,302.31, plus additional interest according to the

20 | Certificate of Indebtedness, a copy of which is annexed hereto as Exhibit A.

21 | WHEREFORE, plaintiff demands judgment against defendant for the sum of

22 | $6,302.31, additional interest to the date of judgment, attorney's fees in the amount of

23 | 33.33% of the debt, and court costs.

24

25 | Date: May 12, 2008

26 | LAW OFFICE OF MICHAEL COSENTINO
                                         By: MICHAEL COSENTINO
27 | Attorney for the Plaintiff
                                         United States of America

28

DEPARTMENT OF EDUCATION
SAN FRANCISCO, CALIFORNIA

CERTIFICATE OF INDEBTEDNESS

Name: MAHMOOD A. BAPORIA
AKA: M. BAPORIA
Address: 57 MIWOK WAY
MILL VALLEY, CA. 94941
SSN: 3364

Total debt due the United States as of 09-05-96 : $ 10,842.74

I certify that Department of Education records show that the debtor named above is indebted to the United States in the amount stated above, plus additional interest on the principal balance of $ 6,302.31 from 09-05-96 at the annual rate of 7.00%. Interest accrues on the principal amount of this debt at the rate of $ 1.21 per day.

The claim arose in connection with Government insured or guaranteed loan(s) made by a private lender and assigned to the United States.

On 05-14-80, 11-13-80 and 08-14-81 the debtor executed promissory note(s) to secure loan(s) from CROCKER NATIONAL BANK, SAN FRANCISCO, CA., under loan guaranty programs authorized under Title IV-B of the Higher Education Act of 1965, as amended, 20 U.S.C. 1071 et. seq (34 C.F.R. Part 682). The holder demanded payment according to the terms of the note(s) and on 10-01-85 the debtor defaulted on the obligation.

Pursuant to 34 C.F.R. 682.202 and/or terms of the promissory note(s) the holder(s) capitalized interest accrued to the original lender to the amount of $ 694.31 thereby increasing the principal balance due to $ 6,302.31 .

After application of the last voluntary payment of $ 0.00 which was received on N/A the debtor now owes the following:

Principal: $ 6,302.31
Interest: $ 4,540.43
Administrative/Collection Costs: $ 0.00
Penalties: $ 0.00

CERTIFICATION: Pursuant to 28 USC section 1746, I certify under penalty of perjury that the foregoing is true and correct.

9/19/96
(Date)

James Kenee
(Loan Analyst)

EXHIBIT A